

the goods seized "on the ground that this court has not acquired jurisdiction over the res." After consideration of the arguments and briefs of counsel, the court, on June 17, 1952, ordered that this motion be dismissed.

On September 21, 1953, the claimant having withdrawn her answer, and without admitting or denying the allegations of the libel, having consented to the entry of a decree, judgment of condemnation was entered. The court ordered that the products be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

**4219. Misbranding of hormone hair cream. U. S. v. 6 Dozen Jars, etc. (F. D. C. No. 35251. Sample No. 15009-L.)**

**LIBEL FILED:** May 21, 1953, Northern District of Iowa; libel amended June 17, 1953.

**ALLEGED SHIPMENT:** On or about January 27 and 30, 1953, by Wanasco Laboratories, from Omaha, Nebr.

**PRODUCT:** 6 dozen 1-ounce jars and 100 2-ounce jars of *hormone hair cream* at Sioux City, Iowa.

**LABEL, IN PART:** (Jar) "Hormone Hair Creme For Men and Women A Hyper-active Cream Containing 10,000 I. U. Of Natural Estrogenic Hormone Per Ounce."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements on the jar label were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for baldness and for preventing baldness, whereas the articles was not an adequate and effective treatment for baldness and for preventing baldness.

**DISPOSITION:** September 29, 1953. The consignee of the product having filed a claim and answer and later having withdrawn such claim and answer, judgment of condemnation was entered and the court ordered that the product be destroyed.

**4220. Misbranding of rowing device. U. S. v. 41 Devices, etc. (F. D. C. No. 35363. Sample No. 69880-L.)**

**LIBEL FILED:** July 24, 1953, District of Colorado.

**ALLEGED SHIPMENT:** On or about May 6, 1953, by the Kasselberg-Griffith Co., from Chicago, Ill.

**PRODUCT:** 41 *rowing devices* at Denver, Colo., together with a number of leaflets entitled "Row Your Way to Health." The device consisted of a horizontal rectangular metal frame approximately 3 feet long and approximately 18 inches wide, provided with a movable seat, a footrest, and a movable handle attached to a set of springs by means of a connecting strap.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the above-mentioned leaflets accompanying the device were false and misleading. The statements represented and suggested that the device provided an effective method for removing fat deposits from the stomach and hips and for breaking down fatty tissue; and that it provided an adequate and effective treatment for overweight, gaseous troubles, disorders of the bowels, liver, and kidneys, constipation, digestive tract disorders, and skin blemishes, and for enabling the user to regain good health. The device was not an adequate and effective treatment for such conditions and purposes.

**DISPOSITION:** November 13, 1953. The May Department Stores Co., Denver, Colo., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the devices be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

# INDEX TO NOTICES OF JUDGMENT D. D. N. J. NOS. 4201 TO 4220

## PRODUCTS

	N. J. No.		N. J. No.
Amphetamine sulfate tablets-----	4209, 4215	Paba-Sal tablets-----	4209
dextro-, sulfate tablets-----	4206-4210	Penicillin G, crystalline potassium, and sodium citrate, tablets containing a mixture of-----	4203
C-Tone-----	4212	Phenobarbital tablets-----	4207
Color-Therm device-----	4214	Phenobarbital, aminophylline, and rutin, tablets containing a mixture of-----	4209
Dasil Evronal capsules and Dasil veratrum compound tablets--	4209	Rowing device-----	4220
Deafness, remedy for-----	4213	Secobarbital sodium capsules-----	4208
Desoxyephedrine hydrochloride tablets-----	4209	Seconal Sodium capsules-----	4203, 4204
Devices-----	4201, 4214, 4220	Seconal Sodium and Amytal Sodium, pulvules containing a mixture of-----	<sup>1</sup> 4202
Dex-Amo tablets-----	4209	Shark liver oil capsules-----	4218
Dextro-amphetamine sulfate tablets-----	4206-4210	Sulfamerazine, sulfadiazine, and sulfamethazine, tablets containing a mixture of-----	4205
Diabetes, remedy for-----	4211	Syringe, La Parfaite-----	4201
Estrogenic substances-----	4216, 4219	Unitone tablets-----	4213
Hair preparation-----	4219	Vitamin preparations-----	4212, 4218
Hamon, Abbe, Formula No. 1, No. 6, No. 11, and No. 13-----	4211		
Hep-Vi-Plex-----	4217		
Herbs, dried-----	4211		
La Parfaite syringe-----	4201		
Methamphetamine hydrochloride tablets-----	4208		

## SHIPPERS, MANUFACTURERS, AND DISTRIBUTORS

	N. J. No.		N. J. No.
Amos, Junior:		Botanical & Marine Laboratories.	
Seconal Sodium capsules-----	4204	<i>See</i> Farley, C. E.	
Arnold's Pharmacy, Inc.:		Coleman, Aaron:	
pulvules containing a mixture of Seconal Sodium and Amytal Sodium-----	<sup>1</sup> 4202	Seconal Sodium capsules and tablets containing a mixture of crystalline potassium penicillin G and sodium citrate-----	4203
Balanced Foods, Inc.:			
C-Tone-----	4212		

<sup>1</sup> (4202) Motion to dismiss information and to suppress evidence. Contains opinion of the court.

# U. S. Department of Health, Education, and Welfare

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

4221-4240

### DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare, and include, where indicated, the results of investigations by the Department, prior to the institution of the proceedings. Published by direction of the Secretary of Health, Education, and Welfare.

— GEO. P. LARRICK, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., November 4, 1954.

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Drugs and devices actionable because of failure to bear adequate directions or warning statements	206	Drugs and devices actionable because of false and misleading claims	213
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		Drugs for veterinary use	221

\*For drug in violation of prescription labeling requirements, see No. 4225; omission of, or unsatisfactory, ingredients statements, No. 4226; failure to bear a label containing an accurate statement of the quantity of the contents, No. 4236.